



CITY APPOINTEES  
MARY SHARP, VICE CHAIR  
BERLIN BOYD  
RUSTY LINKOUS  
MARGARET PRITCHARD  
JAMES TOLES

# MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

EST. 1922 AS MEMPHIS PLANNING COMMISSION • REORGANIZED IN 1976

JOSH WHITEHEAD, AICP, SECRETARY

CITY HALL • 125 N. MAIN ST., STE. 400 • MEMPHIS, TENNESSEE 38103 • (901) 576-0610



COUNTY APPOINTEES  
JON MCCREERY, CHAIR  
CASSANDRA BELL-WARREN  
ROBERT NORCROSS  
EMILY TRENHOLM  
LISA WILBANKS

## MINUTES December 12, 2013

### Meeting Attendance

#### LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Cassandra Bell-Warren		X
Member	Berlin Boyd		X
Member	Rusty Linkous	X	
Member	Margaret Pritchard	X	
Member	Robert Norcross	X	
Member	James Toles	X	
Member	Emily Trenholm	X	
Member	Lisa Wilbanks	X	
Alt. Member	Frank Colvett, Jr.	X	

### Call to Order and Roll Call

Chairman McCreery called the meeting to order at 10:00 a.m. Josh Whitehead called the roll. There was a quorum.

**LUCB Staff:** Josh Whitehead, Brian Bacchus, Don Jones, Gregory Love, Terry Langlois, Calvin Abram and Chip Saliba.

**Others Present:** Steve Auterman, Lauren McHugh and Brenda Solomito.

### Chairman's Opening Remarks

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement.

### Secretary's Report

Josh Whitehead reported there was none.

### Approval of Minutes: November 14, 2013

Board Member Pritchard made a motion to approve LUCB minutes from November 14, 2013. The motion was seconded by Board Member Norcross. The motion passed unanimously.

### **General Order of Public Hearing**

Chairman McCreery explained the procedure for hearing the applications; staff presentation for the application; applicant comments; comments from the public; time limits; rebuttal; and the LUCB's discussion and action. The Consent Agenda Items 1 through 6 was read. Chairman McCreery also explained the procedure for hearing the Consent Agenda Items. He then introduced Board Member Lisa Wilbanks to be the Subdivision Chair and to read the Consent Agenda Items.

### **Consent Agenda (Items 1-6)**

- |                          |   |
|--------------------------|---|
| <b>1. CASE NUMBER:</b>   | <b><u>S.A.C. 13-614</u></b>   |
| <b>CASE NAME:</b>        | <b><u>CALLIS CUTOFF ROAD</u></b>  |
| Request:                 | Close two segments of the former Callis Cutoff Road   |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>2. CASE NUMBER:</b>   | <b><u>S.A.C. 13-615</u></b>   |
| <b>DEVELOPMENT NAME:</b> | <b><u>CARROLL AVENUE</u></b>  |
| Request:                 | Close and vacate public right-of-way  |
| Staff's Recommendation:  | Approval with (5) five conditions   |
| <br>                     |   |
| <b>3. CASE NUMBER:</b>   | <b><u>S.E. 13-03</u></b>  |
| <b>DEVELOPMENT NAME:</b> | <b><u>NEW BLOSSOM APARTMENTS</u></b>  |
| Request:                 | Special Exception to permit development of the property to exceed the maximum street frontage requirements of 100 linear feet in Paragraph 7.2.2.D (.3) of the Unified Development Code |
| Staff's Recommendation:  | Approval  |
| <br>                     |   |
| <b>4. CASE NUMBER:</b>   | <b><u>P.D. 05-370</u></b>   |
| <b>DEVELOPMENT NAME:</b> | <b><u>MSM PLANNED DEVELOPMENT</u></b>   |
| Request:                 | Major Modification of Planned Development for signs   |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>5. CASE NUMBER:</b>   | <b><u>U.V. 03-10</u></b>  |
| <b>DEVELOPMENT NAME:</b> | <b><u>THE FRESH MARKET MIDTOWN</u></b>  |
| Request:                 | Modification of an existing site plan   |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>6. CASE NUMBER:</b>   | <b><u>P.D. 90-346</u></b>   |
| <b>DEVELOPMENT NAME:</b> | <b><u>SPOTTSWOOD VILLAGE PLANNED DEVELOPMENT</u></b>  |
| Request:                 | Site plan review  |
| Item #6:                 | Agreed upon HOLD for 30 days  |

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Item #4 was requested to be pulled for discussion. Chairman McCreery then asked the board members for a motion to approve Consent Agenda Items 1- 3 and 5-6. Board Member Wilbanks made a motion to approve all Consent Agenda Items in agreement with staff's recommendations and as amended. The motion was seconded by Board Member Pritchard. The motion passed unanimously. Chairman McCreery then asked Board Member Wilbanks to read the Consent Agenda Item #4 that was pulled for discussion. She then read the case.

**Item 4: CASE #: P.D. 05-370**

**MSM PLANNED DEVELOPMENT**

Request: Major Modification of Planned Development for signs  
Location: 2288 Germantown Parkway (100 ft. south of Varnavas Dr.)  
Applicant: Mark D. Utley d/b/a GerPark LLC  
Representative for applicant: Brenda Solomito, Solomito Land Planning, 2067 Kirby Parkway, Memphis, TN 38119

MOTION: Approval with amended conditions  
MADE BY: Wilbanks  
SECOND: Pritchard  
AYES: Colvett, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

**Item 4 – APPROVED WITH AMENDED CONDITIONS**

**REGULAR AGENDA ITEMS:**

Chairman McCreery introduced Board Member Pritchard as Zoning Chair and she then called the first case.

**Item 7: CASE #: Z.T.A. 13-004**

Request: The Unified Development Code serves as the Zoning Ordinance and Subdivision Regulations for all land within the incorporated municipality of Memphis and Shelby County. These amendments to Sections of the Development Code address various provisions of the Code.  
Representative for applicant: Josh Whitehead, Planning Director

Chairman McCreery recognized the following people who spoke from the audience in support of the case.

Steve Auterman, 1897 Snowden Ave., Memphis, TN 38107

Lauren McHugh, 1910 Madison Ave., Memphis, Tennessee 38104

MOTION: Approval as amended conditions  
MADE BY: Pritchard  
SECOND: Toles

AYES: Colvett, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks,  
and Chairman McCreery

Item 7 - APPROVED AS AMENDED

ADJOURNMENT:

There being no further business, the meeting there upon was adjourned.

MINUTES APPROVED: \_\_\_\_\_

1-9-14

CHAIRMAN

SECRETARY